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May 5, 2004

Michael O. Leavitt, Administrator
U.S. Environmental Protection Agency
Ariel Rios Building, 1101-A
1200 Pennsylvania Ave., N.W.
Washington, DC 20460

Subject: Comments on the HPV Test Plan for O,O-diethyl dithiophosphate

Dear Administrator Leavitt:

The following comments on Bayer's test plan for the chemical O,O-diethyl dithiophosphate are submitted on behalf of the Physicians Committee for Responsible Medicine, People for the Ethical Treatment of Animals, the Humane Society of the United States, the Doris Day Animal League, and Earth Island Institute. These health, animal protection, and environmental organizations have a combined membership of more than ten million Americans.

Bayer CropScience LP submitted its test plan on January 7, 2004, for the chemical O,O-diethyl dithiophosphate (CAS No. 2989-06-6), which is used as an intermediate in the production of an agricultural pesticide. Bayer has compiled existing data from various sources to meet many SIDS endpoints and classifies this chemical as a closed system intermediate, eliminating the requirement of a repeated dose and reproduction study under the HPV program. The sponsor has asked that a description of closed system intermediate status for this substance remain confidential and we are hopeful that Bayer has provided the EPA with all the relevant information to support this claim.

At this time, however, we object to Bayer's proposal to conduct a developmental toxicity test (OECD 414), when the combined reproduction/developmental screen, OEDC 421, will reduce animal deaths by half and is adequate for a screening level program such as HPV. If Bayer wishes to investigate the developmental hazards of this chemical, we ask that the combined study be conducted to spare the lives of 600 animals.

Although there are no available data on repeated dose, reproduction, and developmental toxicity of O,O-diethyl dithiophosphate *per se*, this compound is a metabolite of organophosphates (OPs) and is itself an organophosphate compound. This class of chemicals inhibits cholinesterase activity and has been extensively studied by the EPA and tightly regulated as posing potential carcinogenic, reproductive, developmental, and neurological hazards. Indeed, the OPs were among the first class of chemicals reevaluated as a group by the EPA under the requirements of the Food Quality Protection Act (FQPA). For the purposes of the HPV program, O,O-diethyl dithiophosphate should

be treated as another OP and no additional animal testing should be conducted. This approach not only saves the lives of many animals but also demonstrates a thoughtful analysis of the likely toxicity of this chemical based on previous experience with the organophosphate class of pesticides.

Based on MSDS information, this particular OP also appears to be caustic. Exposure to O,O-diethyl dithiophosphate via the oral route produces mild to moderate esophageal burns with more severe burns occurring in the stomach. Any interpretation of systemic effects that may be observed by testing via oral exposure will be confounded by caustic effects of this compound in the GI tract, including the stomach. This further precludes testing of O,O-diethyl dithiophosphate in an OECD protocol (such as the proposed OECD 414) where the common route of exposure is gavage. We submit that in this instance, the entire knowledge of a chemical, including the extensive data available on other OPs, should be used to determine further planned testing, instead of "checking-the-box" for each endpoint. As indicated in both the October 1999 letter as well as the December 2000 *Federal Register* notice, HPV participants "*may conclude that there is sufficient data, given the totality of what is known about a chemical, including human experience, that certain endpoints need not be tested. As with all chemicals, before generating new information, participants should further consider whether any additional information obtained would be useful or relevant.*"

We are hopeful that Bayer will reconsider its proposal to kill 1,300 animals simply to corroborate toxicity on organophosphates. Thank you for your attention to these comments. I may be reached at 202-686-2210, ext. 327, or via e-mail at *meven@pcrm.org*.

Sincerely,

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Research Analyst

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